

FEBRUARY 19, 1835.

Read twice, and committed to a Committee of the Whole House to-morrow.

Mr. KING, from the Committee for the District of Columbia, reported the following bill:

A BILL

For the suppression of lotteries and the sale of lottery tickets in the District of Columbia.

1 *Be it enacted by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled, That*
3 *so much of the act incorporating Georgetown, so much of the*
4 *act incorporating the city of Washington, so much of the act*
5 *incorporating the city of Alexandria, and so much of any act*
6 *or acts amendatory of the said several acts of incorporation,*
7 *or either or any of them, as authorizes the corporation of*
8 *Georgetown, the corporation of Washington, or the corpora-*
9 *tion of Alexandria, or either or any of them, to draw, or to*
10 *authorize the drawing of any lottery or lotteries, with the ap-*
11 *probation of the President of the United States, is hereby re-*
12 *pealed ; and hereafter it shall not be lawful for the said cor-*
13 *porations, or either of them, to draw or authorize the drawing*
14 *of any lottery within the District of Columbia, for any pur-*
15 *pose, or on any pretence whatsoever.*

1 SEC. 2. *And be it further enacted, That it shall not be*
2 *lawful for any person or persons, bodies politic or corporate,*

3 within the District of Columbia, to draw or propose to the
 4 public any lottery, or scheme of a lottery, for the disposal of
 5 money or property of any kind, or other valuable thing, under
 6 the penalty of not less than one thousand, nor more than ten
 7 thousand dollars.

1 SEC. 3. *And be it further enacted,* That it shall not be law-
 2 ful, hereafter, for any person to sell, negotiate, or otherwise
 3 dispose of, within the District of Columbia, any ticket in any
 4 lottery, or to sell, negotiate, or otherwise dispose of, within
 5 said District, any share, part, chance for, portion of, or inte-
 6 rest in, any such ticket or tickets, part or share of a ticket,
 7 or any package or packages of tickets, or interest therein ;
 8 and it shall not be lawful for any person as factor, agent,
 9 broker, or attorney, for or in behalf of any other person or
 10 persons, to aid, assist, order, direct, superintend, or have any
 11 agency whatever in procuring, selling, negotiating, or dispos-
 12 ing of, in said District, any such ticket, or any share, part, or
 13 portion of, or interest in, any such ticket, or package of tick-
 14 ets, or for any person to sell, or offer to sell, in any way what-
 15 ever, or to barter, exchange, or otherwise dispose of, or attempt
 16 or offer to barter, exchange, or otherwise dispose of, within
 17 the said District, any interest in any lottery, directly or indi-
 18 rectly ; and if any person shall offend in either or any of the
 19 particulars aforesaid, such person, on conviction thereof, shall
 20 be fined not less than fifty dollars, nor exceeding one thousand

dollars; and upon the non-payment of the fine, or in case of inability to pay the same, such person may be sentenced by the court to imprisonment not exceeding one day for every two dollars of the fine imposed, and the sentence of the court may be in the alternative, that the person do pay such fine, or, on failure, do suffer such imprisonment.

SEC. 4. *And be it further enacted,* That it shall not be lawful for any person in this District to have in possession any ticket or tickets, share or shares of a ticket or tickets, in any lottery, or any certificate of interest therein, with intent to sell, barter, exchange, negotiate, or otherwise dispose of the same, within the said District, or to have in possession any scheme, plan, or class of any lottery, with intent to circulate or distribute the same within the said District; and every person offending in either particular, on conviction, may be fined not less than fifty dollars, nor exceeding five hundred dollars.

SEC. 5. *And be it further enacted,* That if any person or persons shall exhibit any sign, symbol, or other emblematical representation of a lottery, or the drawing of a lottery, or in any way indicating where lottery tickets may be purchased or received, or shall in any such manner, or in any other manner, invite or entice others to purchase or receive lottery tickets, such person so offending, on conviction thereof, shall be subject to a fine not less than fifty dollars, nor more than five hundred dollars.

1 **SEC. 6.** *And be it further enacted,* That no person shall
2 open, set up, exercise, or keep, by himself, or by any other
3 person or persons, any office or other place for registering the
4 numbers of any ticket in any lottery, or for keeping, exhibit-
5 ing, examining, or otherwise publishing or communicating the
6 contents of any official prize list, or the drawing of any lot-
7 tery ; nor shall any person, by printing, writing, or otherwise,
8 publish the setting up, opening, or using of any such office,
9 or other place ; nor shall any person insure for or against the
10 drawing of any lottery.

1 **SEC. 7.** *And be it further enacted,* That no person shall
2 insure, or receive any consideration for insuring, for or against
3 the drawing of any ticket or tickets, in any lottery whatever ;
4 nor shall any person receive any money or goods, or thing in
5 action, in consideration of any agreement to repay any sum or
6 sums, or to deliver the same, or any other goods or thing in
7 action, if any ticket or tickets in any lottery whatever shall
8 prove fortunate or unfortunate, or shall be drawn, or not
9 drawn, on any particular day, or in any particular order, or
10 otherwise howsoever ; nor shall any person promise or agree
11 to pay any sum of money, or to deliver any goods or thing in
12 action, or to do or forbear to do any thing for the benefit of
13 any other person or persons with or without consideration,
14 upon any event or contingency dependent on the drawing of
15 any ticket or tickets, or the number or numbers of any ticket

or tickets, in any lottery whatever ; nor shall any person publish any notice or proposal for any of the purposes aforesaid.

SEC. 8. *And be it further enacted,* That whoever shall offend against any provision of either of the two preceding sections, on conviction thereof, shall be liable to a fine, not exceeding one thousand dollars, or to imprisonment, not exceeding one year.

SEC. 9. *And be it further enacted,* That it shall not be necessary, on the trial of any suit, action, prosecution, or information, under any section thereof, to prove the existence of any lottery in which any ticket, share, or part of a ticket, purports to have been issued, or the actual signing of any such ticket or share, or of any pretended ticket or share, of any real or pretended lottery ; nor that any ticket, share, or interest, was signed or issued by the authority of any manager, or of any person assuming to have authority as manager, but in all cases, proof of the sale, furnishing, bartering, or procuring of any ticket, share, or interest therein, or of any instrument purporting to be a ticket, or part or share of any ticket, shall be conclusive evidence that such ticket, share, or interest, was signed and issued according to the purport thereof.

SEC. 10. *And be it further enacted,* That the several fines, penalties, punishments, and forfeitures, imposed by this chapter, may be inflicted, enforced, and collected, by any court of

competent criminal jurisdiction in the District of Columbia, upon conviction of the offender or offenders before such court, on indictment or information, and the pecuniary penalties and forfeitures may be sued for, where no indictment or information has been brought by bill, plaint, or action of debt, in the name of the United States, but at the proper costs and charge of the person informing, and as well for his benefit as that of the United States; and in such action of debt, bill, or plaint, the plaintiffs, on establishing the facts, shall be entitled to a verdict for one-half of the largest sum which the court in its discretion might impose as a fine for the offence in question, under this chapter, which sum shall, for the purposes of such suit, action, bill, or plaint, be considered a fixed penalty, one-half of which shall be for the use of the informer, and the other half shall be paid over to the corporation of the town or city in which, or nearest to which, the offence shall have been committed, for the use of the poor of such town or city; and it shall be the duty of every mayor, alderman, common councilman, justice of the peace, marshal, and of every other public officer of the said District of Columbia, at any town or city in the said District, to give information of any breach of this chapter, which may come to his knowledge; and on indictment or information, or on suit at the relation of such officer, the whole penalty or forfeiture shall be for the use of the poor of that town or city, within, or nearest to which,

29 the offence shall have been committed. And it shall be the
30 duty of the District Attorney for the District of Columbia
31 to prosecute for all breaches of this chapter, which may
32 come to his knowledge, or of which he may be credibly in-
33 formed ; and it shall be the duty of the presiding judge of
34 every court of competent criminal jurisdiction in the Dis-
35 trict of Columbia specially to charge every grand jury to
36 inquire into all violations of this chapter ; and it shall be
37 the duty of all grand jurors to inquire into and present all
38 breaches thereof.